

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA  
Plaintiff  
v.  
JOSHUA PETTIS,  
Defendant

NO. CR 19-5143 RJB

## Order Continuing Trial and PTM Deadline

## Order

Defendant Joshua Pettis moves the Court to continue the trial in this case as well as the Pretrial Motions Deadline. The Government has reviewed the motion and advised defense counsel that it has no opposition to the motion.

The Court GRANTS the motion. In doing so, it makes the following findings:

1. The ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

2. Proceeding to trial absent adequate time for the defense to prepare would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

1           3. The Court finds that the failure to grant the continuance would deny the  
2 defense the reasonable time necessary for effective preparation, taking into account  
3 the exercise of due diligence. Based on Mr. Pettis's Motion to Continue, and the  
4 Court's review of the files and records in this case, the Court finds that the defense  
5 needs additional time to review the discovery materials in this case, which consists  
6 of police reports and related material. Additional discovery is forthcoming, and the  
7 defense will need more time to review the same. The defense will also need  
8 additional time to conduct its own investigation of the case and review the law as it  
9 applies to this case.

10           Taking into account the exercise of due diligence, a continuance is necessary  
11 to allow the defendant the reasonable time to meet the above objectives.  
12           Accordingly, IT IS HEREBY ORDERED that the trial date is continued to January  
13 27, 2020, at 9:30 a.m. and that the pretrial motions deadline shall be December 18,  
14 2019. A pretrial conference shall be held on January 17, 2020, at 8:30 a.m. The  
15 resulting period of delay from the filing date of this motion until the new trial date is  
16 excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B).

17           IT IS SO ORDERED this 13<sup>th</sup> day of May, 2019.

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20           ROBERT J. BRYAN  
21           United States District Judge